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In re Application of
KUNZ et al

Application No.: 09/601,431

PCT No.: PCT/EP99/09005

Int. Filing Date: 23 November 1999

Priority Date: 07 December 1998

Attorney Docket No.: 1222

For: COMPOSITION FOR DYEING HAIR

DECISION ON

PETITION UNDER

37 CFR 1.182

This decision is in response to petitioner's "RESPONSE TO NOTIFICATION DATED MARCH 26, 2003" filed on 26 June 2003, which is being treated as a petition under 37 CFR 1.182. The petition fee of \$130.00 has been charged to Deposit Account No. 19-4675 as indicated in the petition.

BACKGROUND

In a notification from Office on 26 March 2003, the declaration of the inventors was not accepted at that time since the name of the second named inventor, Manuela Kunz JAVET, did not correspond to the set forth in the international application, Manuela Kunz. The notification indicated where an inventor's name has changed after the international application was filed to submit a petition under 37 CFR 1.182.

On 26 June 2003, petitioner submitted the instant petition, which included an affidavit in support of the name change of the inventor from Manuela Kunz to Manuela Javet.

DISCUSSION

MPEP § 605.04(c) requires in instances where an inventor has changed his or her name after the application has been filed to submit a petition under 37 CFR 1.182. The petition must include (1) the appropriate petition fee and (2) an affidavit signed with both names setting forth the procedure whereby the change of name was effected, or a certified copy of the court order.

With respect to item (1), the petition fee has been charged to petitioner's deposit account.

With respect to item (2), an affidavit has been provided signed under both names- Manuela Kunz (maiden name), and Manuela Javet (married name), and setting forth the procedure whereby the change of name was effected. Therefore, item (2) has been satisfied.

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For the reasons above, the application may enter into national stage processing at this time.

CONCLUSION

The petition under 37 CFR §1.182 for change of name of inventor is **GRANTED**. This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing under 35 U.S.C. 371. The 35 USC 371(c)(1), (c)(2), and (c)(4) date of this application is **02 August 2000**.


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